

WV STATE FIRE COMMISSION MEETING  
WV State Fire Marshal's Office • Charleston, WV •

February 9, 2018

PLEASE NOTE:

The following minutes have been provided and are considered unofficial, until they are submitted for approval at the next scheduled meeting.

The official business meeting was called to order at 09:00AM by Chairman Grant Gunnoe.

Fire Marshal Ken Tyree read a letter of resignation received from Fire Commissioner Carl Sizemore.

Chairman Gunnoe moved the "Good of the Order" presentations up to the front of the agenda as follows:

Kendra Angus (8yr old) Plaque Presentation for using a fire extinguisher on a house fire in Jackson County on December 10, 2017. Fire Marshal Ken Tyree presented a "Hero" Award Plaque, certificate and challenge coin to Kendra. WVU Fire Service Director Mark Lambert presented her with a challenge coin, patch and a full scholarship to attend the WVU Junior Firefighter Summer Camp when she is old enough to attend.

Pinch/Frame/Clendenin VFDs and Metro 911 Swiftwater Rescue Certificate Recognitions were presented by Fire Marshal Ken Tyree. The dispatch audio for this incident was played for all to hear. Pinch VFD Fire Chief David Wagoner described the event and Kanawha County 911 Director of Operations Rick McElhane described the events from their agency point of view.

ROLL CALL: by Chief Deputy State Fire Marshal Sharp

Commissioners Present

Edward George, Grant Gunnoe, Dave Camp, Carl Eastham, Doug Estep, Martin Hess, Doug Mongold, Ted Shriver, Thomas Keefer, Phil Hart, Jim Oldaker and Virgil White.

Commissioners Absent0- None

APPROVAL OF MINUTES:

Commissioner Mongold made a motion to accept and approve the minutes of the December 15, 2017 Fire Commission Meeting. Commissioner White seconded the motion. The ayes and nays have been taken on a voice vote, the motion passed.

COMMITTEE REPORTS:

• Legislative, Codes & Regulatory Committee

Commissioner Shriver read the Legislative, Codes & Regulatory Committee Report from February 8, 2018 as follows:

Commissioner Camp called to order the regular meeting of the Legislative, Codes and Regulatory Committee Meeting at 1000AM on February 8, 2018 at WV State Fire Marshal's Office, Charleston, WV.

Roll call

Commissioner Camp conducted a roll call. The following commissioners were present:

Dave Camp  
Jim Oldaker  
Martin Hess  
Tom Keefer

The following commissioners were absent:

Ted Shriver  
Old business

a) Consideration of Municipality Home Rule Board Rulings

Chief Deputy Fire Marshal Sharp gave an update concerning the Municipality Home Rule Board ruling letter received by the Fire Marshal's office that stated it would be held over on abeyance until March 14, 2018. No action is needed at this time.

b) Status of Governor's Bill Modifying WV Code Chapter 29 Article 3-5b

Chief Deputy Fire Marshal Sharp gave an update concerning the 2009 IECC Energy Code removal included in legislative House Bill- HB 4444, because it was outdated and there is a new energy code.

Status of Junior Firefighters 21-6-2

Chief Deputy Fire Marshal Sharp gave an update concerning the Child Labor, Junior Firefighter language clarifications in legislative House Bill- HB 4436.

Consideration of 29-3B, Electrician's Statute

Chief Deputy Fire Marshal Sharp gave an update concerning the correction to change the number of this to 103-5, because this should have been numbered as a Fire Marshal rule. Also, 87-3 Hazardous Substance Training Program Rule (both bundled as legislative Senate Bill- SB 18. The Hazardous Substance Training Program Rule was edited to include Industrial Firefighters.

Chief Deputy Fire Marshal Sharp stated that these bills are currently being sponsored by several legislators and are at the WV Legislature pending to move forward in the legislative process.

c) Other Legislative Updates

Chief Deputy Fire Marshal Sharp gave an update concerning legislative House Bill-HB 4313 and Senate Bill-SB 506 Repealing HVAC and Fire Damper and Fire Protection Worker language which would be a considerable loss of revenue to the Fire Commission / Fire

Marshal's Office. Fire Marshal Tyree is currently inquiring about the repealing language to see if it could include amended language not to remove in entirety; only 29-3D-3(b)(5).

New business- None

Adjournment

Commissioner Camp moved to adjourn the meeting at 10:06AM, second by Commissioner Hess.

Commissioner Eatham made a motion to accept the report. It was seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

• Training Committee

Commissioner White read the Training Committee Report from February 8, 2018 as follows:

Commissioner White called to order the regular meeting of the Training Committee Meeting at 10:28AM on February 8, 2018 at the WV State Fire Marshal's Office, Charleston, WV.

Roll call

Commissioner White conducted a roll call. The following commissioners were present:

Carl Eastham

Doug Estep

Edward George

Tom Keefer

Virgil White

The following commissioners were absent: None

Commissioner White called for the approval of the agenda. Commissioner Estep made a motion to accept the agenda, seconded by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Old business

a) Fire Marshal Academy Update

Chief Deputy State Fire Marshal Sharp gave a brief update on the Fire Marshal Academy scheduled for the fall of 2018.

New business

a) Clay County Delegation Inquiry and Training Concerns-

No one was present to discuss their concerns.

b) Staff/Counsel- Nothing to bring forth

c) WVU Fire Service Extension

WVU Fire Service Extension Director Mark Lambert discussed the two-day fire safety class in February 2018 in Morgantown. Also stating that they were testing 62 people in Boone and Logan counties for the Modular Firefighter I class. The Junior Firefighter dates for 2018 is June 16-21. There will also be another Fire School starting in Boone County next week.

d) WV Public Service Training/WV Dept. of Education

Public Safety Training Coordinator Robbie Bailey gave information on the Firefighter Module 1 class taking place in Jackson County. There will also be a Modular Firefighter Class starting soon in Raleigh and Nicolas County. The 2018 ESCAPE Training Conference at Pipestem is February 20-25, 2018. Fire Commissioners were invited to participate in the Fire Commission Roundtable meeting on Sunday, February 25, 2018 at the ESCAPE conference and they would be provided lodging on Saturday night.

e) Consideration of Accepting CPR & First Aid Completion Roster with Copy of Instructor's Certification.

Chief Deputy State Fire Marshal Sharp discussed that Assistant Fire Marshal Bradley Scott received a request asking if the WV Fire Commission would accept a CPR & First Aid Completion Roster with a copy of the instructor's certification as proof that department firefighters had completed this training in place of the actual certification cards, which are now costing \$20-\$25 per certification card. AFM Scott had received this request from several departments in the northern panhandle and southern part of our state. Public Service Training representatives John Smoot and Robbie Bailey discussed that they can provide ECSI CPR cards for \$2.50, but this doesn't include the cost of the instructor's fees.

Commissioner Keefer made a motion to accept the CPR & First Aid Completion Rosters with a copy of the Instructor's Certification to meet the fire department evaluation criteria and bring to the full fire commission, seconded by Commissioner George. With all the ayes and nays having been taken on a voice vote, the motion passed.

f) Fayette County Swiftwater Certification Inquiry

WV Public Safety Training representative Robbie Bailey and Fayette County Fire Service Director Joe Crist discussed receiving requests from the Nuttall VFD and other fire departments concerning the Rescue 3 International being accepted for swiftwater certification by the WV Fire Commission. Commissioner White discussed that fire departments can take classes outside those accepted by the WV Fire Commission and utilize this training in their immediate territory. Fire Marshal Tyree asked for clarification concerning only swiftwater classes and not that of required courses of the Fire Commission be acceptable to use within their immediate territory. Commissioner Gunnoe asked if there is an approved Fire Commission Swiftwater course and WV Fire Service Extension Director Mark Lambert responded that there is an awareness level course approved within the training agencies (Public Safety Training and WVU Fire Extension Service). Commissioner White stated that it is up to the individual fire departments to decide on the swiftwater training for their departments and community. Commissioner Keefer stated that

equivalency of these swiftwater programs would need to be approved. Fire Marshal Tyree stated that to be recognized through legislative rule 87-8 *Training Requirements for Volunteer Fire Companies*, these organizations would need to present their course materials to the Fire Commission for consideration.

#### Adjournment

Commissioner Eastham moved to adjourn the meeting at 11:00AM, seconded by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold made a motion to accept the report. It was seconded by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

#### • Fire Department Services Committee

Commissioner Mongold read the Fire Department Service committee report from February 8, 2018 as follows:

Call to order

Commissioner Mongold called to order the regular meeting of the Fire Department Services Committee at 11:14AM on February 8, 2018 at WV State Fire Marshal's Office, Charleston, WV.

Roll call

Commissioner Mongold conducted a roll call. The following commissioners were present:

Dave Camp  
Phil Hart  
Doug Mongold  
Jim Oldaker

The following commissioners were absent:  
Carl Sizemore

Old business- None

New business

##### a) Fire Officer I and II Applications

Assistant State Fire Marshal Bradley Scott presented the following applications for approval:

James Black	F/O 1	Handley VFD
Larry Reedy	F/O 1 & 2	Trap Hill VFD
Jason Legg	F/O 2	Sissonville VFD
Greg Lane	F/O 1	Trap Hill VFD
Jonathan Young	F/O 1	Trap Hill VFD

Commissioner Oldaker made a motion to approve these applications and present to the full Fire Commission, seconded by Commissioner Camp. With all the ayes and nays having been taken on a voice vote, the motion passed.

b) Fire Departments to be Recertified

Assistant State Fire Marshal Bradley Scott presented a list of departments for recertification that had perfect evaluations:

- Malden (Evaluation Completed by AFM Stewart) Kanawha County
- Baisden Mingo County
- Williamson Mingo County

Commissioner Hart made a motion to approve these applications and present to the full Fire Commission, seconded by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

Assistant State Fire Marshal Bradley Scott presented a list of departments that met all requirements to be recertified:

- Ghent Raleigh County
- Franklin Community Brooke County
- Big Otter Clay County
- Martinsburg Berkeley County
- Windsor Heights Brooke County

Commissioner Hart made a motion to approve these applications and present to the full Fire Commission, seconded by Commissioner Oldaker. With all the ayes and nays having been taken on a voice vote, the motion passed.

c) Tornado VFD & West Side VFD Boundary Petition

Tornado VFD Fire Chief Caleb Childress discussed a mutual aid agreement that his department once had with the West Side VFD, but they don't have one now. West Side VFD canceled their automatic aid over disputes between the two departments. The Tornado VFD is not requesting this change in the boundary area of Brown's Creek, but the community is requesting this change through the petition that was received by the WV State Fire Marshal's Office. Commissioner Mongold stated that his opinion was that the departments involved should be able to work this out to provide better fire protections in this area. West Side VFD Fire Chief Chris Schilling stated that he would agree to a mutual aid call with Tornado if there wasn't an argument or threats on the fire scene to his department personnel by personnel from the Tornado VFD. Commissioner Gunnoe asked questions about the mutual aid provided for various areas of Brown's Creek and if there were any

complaints from the residents of that area. In response there was a discussion of a 2017 incident in which there was an issue with the dispatch of West Side VFD on this call where they had limited number of personnel that responded to an incident. Commissioner Mongold asked if each fire chief would agree on working on a mutual aid agreement to respond to calls in this area without stipulations. Each fire chief stated they are willing, but Fire Chief Childress stated, "What if it doesn't work out?". Commissioner Gunnoe discussed issues with the petition that was received from Samantha Burdette representing the Tornado Community. Commissioner Mongold asked if they were willing to attend the next Fire Commission meeting in Lewisburg to report back on the progress of this mutual aid agreement. Commissioner Hart asked how many annual responses were made by the West Side VFD response area. Fire Chief Schilling stated 10 calls. Institute VFD Fire Chief Moyers stated that on the day in question of the incident in 2017 that their tones did not go off, but they were requested to fill in. Kanawha County Emergency Manager CW Sigman stated that he is willing to work with both departments to assist in this mutual aid agreement. Commissioner Mongold asked if CW Sigman would also attend the next commission meeting for an update in April. CW Sigman stated that he hoped all this would be worked out before the next Fire Commission meeting. West Side Fire Chief Schilling asked if AFM Bradley Scott could also attend this meeting to assist in working out this agreement? Commissioner Gunnoe said yes and if it is helpful a Fire Commissioner would also be willing to be present for this meeting. Commissioner Gunnoe said this will be tabled until the April Fire Commission meeting for further updates.

#### Adjournment

Commissioner Camp moved to adjourn the meeting at 11:47AM, seconded by Commissioner Oldaker.

Commissioner Eastham made a motion to accept the report. It was seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

#### • Recruitment and Retention Committee

Commissioner Phil Hart read the Recruitment and Retention Committee Report from February 8, 2018 as follows:

##### Call to order

Commissioner Hart called to order the regular meeting of the Recruitment and Retention Committee Meeting at 11:56AM on February 8, 2018 at the WV State Fire Marshal's Office, Charleston, WV.

##### Roll call

Commissioner Hart conducted a roll call. The following commissioners were present:

Doug Estep

Edward George

Jim Oldaker

Martin Hess

##### Old business

- a) Commissioner Hart asked for an update on the Length of Service Award Program (LOSAP) challenge coins. Chief Deputy Fire Marshal Sharp replied that over 154 volunteer fire departments had returned their forms to receive the Length of Service Program coins with forms being received every day. Fire Marshal Tyree discussed that some paid fire department requested the ability to pay for these coins to give to their membership and that we would look in to how this could be accomplished. Chief Deputy Fire Marshal Sharp stated we will send out a coin total once they have been tabulated after the deadline of February 16, 2018. It was asked if the LOSAP application was available on the WV State Fire Marshal's website and it is. Commissioner Mongold requested a list of those fire departments that had sent in a LOSAP application to encourage those volunteer fire departments that have not turned their application in. Chief Deputy Fire Marshal Sharp stated we will provide that to the fire commission.
- b) Fire Marshal Tyree discussed having a "Recruitment and Retention" speaker brought to the Fireman's Association Convention in August 2018. Commissioner Mongold mentioned that there wasn't time in the convention schedule in August to add another speaker and suggested reviewing other dates to for a possible seminar. Fire Marshal Tyree said we are open to suggestions.
- c) Fire Marshal Tyree will discuss the legislative suggestions for the Modular Firefighter Training at the full Fire Commission meeting on Friday. These suggestions are from the statewide "listening" sessions these past few months.

#### New business

- a) WVU Fire Service Extension Coordinator Mark Lambert stated that he had received information on a proposal by the National Fire Protection Association (NFPA) to begin the process of creating a Support Personnel position for the fire service and the concept had been discussed nationally. NFPA Mid-Atlantic Regional Director Greg Cade discussed the standard for any new proposals usually take approximately 2 ½ years to develop a new standard and implement it. He stated that the NFPA are always looking for people to serve on these new standard committees and maybe someone from the WV Fire Commission would be willing to serve on this one.

#### Adjournment

Commissioner George moved to adjourn the meeting at 11:45AM. It was seconded by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Mongold made a motion to accept the report. It was seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

#### • Disciplinary Committee

Commissioner Eastham read the Disciplinary Committee Report from February 8, 2018 as follows:

### Call to order

Commissioner Eastham called to order the regular meeting of the Disciplinary Committee Meeting at 1:11pm on February 8, 2018 at the WV State Fire Marshal's Office, Charleston, WV.

### Roll call

Commissioner Eastham conducted a roll call. The following commissioners were present:

Edward George  
Martin Hess  
Doug Mongold  
Ted Shriver

Commissioner Eastham moved to approve the agenda. Commissioner Shriver made a motion to approve, seconded by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

### Old business

#### a) 2017-005-BCO

Deputy Fire Marshal Allan Casto gave an update on 2017-005-BCO. The Fire Commission had 45 days to call for a hearing and because of scheduling issues we were not able to have this hearing. With some updated information provided, in effect this issue has been resolved.

Commissioner Hess made a motion to dismiss 2017-005-BCO, seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

### New business

#### a) Departments Requesting 180 Days

Commissioner Mongold made a motion to go into executive session at 1:16PM, seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Hess made a motion to come out of executive session at 1:27PM, seconded by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Shriver made a motion to find probable cause on 2017-061, 2017-062, 2018-001, 2018-002, 2018-003, 2018-005 and 2018-008 with a second by Commissioner George. With all the ayes and nays having been taken on a voice vote, the motion passed.

#### b) Other Disciplinary Issues- None

### Adjournment

Commissioner Shriver moved to adjourn the meeting at 1:32PM, seconded by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to accept the report. It was seconded by Commissioner Mongold. With all the ayes and nays having been taken on a voice vote, the motion passed.

• Operations Committee

Fire Marshal Tyree stated that his staff will present their division reports: Deputy State Fire Marshal Allan Casto, Deputy State Fire Marshal Jason Baltic and Deputy State Fire Marshal Clarence Leake and that he will finish with the overall agency operations report.

Deputy State Fire Marshal Casto shared his report on the Fire Service Division for the period of December 1, 2017 through January 31, 2018 and January 1, 2017 through December 31, 2017:

Regulatory and Licensing Section December 1, 2017 through January 31, 2018

Total Licenses Issued: 549

Total Certifications Issued: 26

Total Applications Processed: 339

Total Permits Issued: 145

Online Renewals: 84

Total Consumer Fireworks Certificates Issued

Permanent: 0

Temporary: 1

Wholesaler: 0

Outdoor Storage: 1

Novelties: 578

Fire Service Division for the period of January 1, 2017 through December 30, 2017:

Regulatory and Licensing Section

Total Licenses Issued: 18,407

Total Certifications Issued: 289

Total Applications Processed: 2,419

Total Permits Issued: 833

Online Renewals: 5,667

Total Consumer Fireworks Certificates Issued

Permanent: 56

Temporary: 194

Wholesaler: 15

Outdoor Storage: 165

Novelties: 727

Deputy State Fire Marshal Baltic shared his report on the Investigation Division for the period of January 1, 2018 through January 31, 2018 and December 1, 2017 through January 31, 2018:

January 1, 2018 to January 31, 2018

Total Number of Fires 1JAN18 to 31JAN18 – 37

Accidental – 5

Incendiary – 8

Undetermined – 15

Fatality Total 01JAN18 to 31JAN18 – 7  
Injury Total 01JAN18 to 31JAN18 – 12

Total \$ loss 01JAN18 to 31JAN18 - \$ 1,073,000  
Educational - \$0  
Mercantile - \$40,000  
Other Structures - \$500  
Outside / Special Properties - \$0  
Residential - \$593,500  
Storage - \$15,500  
Vehicles - \$21,000

Total \$ loss 01JAN18 to 31JAN18 that are declared Incendiary - \$32,500

Total number of fires cleared by arrest or exceptional means – 3

December 1, 2017 to January 31, 2018

Total Number of Fires 1DEC17 to 31JAN18 – 87  
Accidental – 13  
Incendiary – 17  
Undetermined – 41

Fatality Total 01DEC17 to 31JAN18 – 11  
Injury Total 01DEC17 to 31JAN18 – 12

Total \$ loss 01DEC17 to 31JAN18 - \$4,159,200  
Educational - \$500  
Mercantile - \$625,000  
Other Structures - \$500  
Outside / Special Properties - \$0  
Residential - \$2,305,500  
Storage - \$210,500  
Vehicles - \$93,500

Total \$ loss 01DEC17 to 31JAN18 that are declared Incendiary - \$39,700

Total number of fires cleared by arrest or exceptional means – 7

Deputy State Fire Marshal Leake shared his report on the Inspection and Plans Review Division for the period of December 1, 2017 through January 31, 2018:

December 2017

325 Inspections Conducted  
100 Plans Reviewed (Does not count walk-in consultations with architects and designers)  
22 Occupancy Permits Issued  
161 Licenses Checked

Complaint Investigations:

Investigated ten (10) fire code complaints  
Investigated one (1) electrical complaint  
Investigated one (1) licensing complaint

Citations:

One (1) in Boone County – performing electrical w/o a license

Training:

- Divisional members attended two-day Fire Marshal's Association classes on NFPA 25 and Fire Treated Wood Products
- Nine (9) divisional members attended a one-day Building Code Officials class on Inspection/Plan Review of Solar Panels

Two members monitored the MMR site in Barbour County reference mitigation of tanks where two previous explosions occurred resulting in fatalities

One member apprehended and detained an escaped prisoner in the Beaver area of Raleigh County until State Police and FBI arrived

Administered one (1) licensing test

January 2018

482 Inspections Conducted

136 Plans Reviewed (Does not count walk-in consultations with architects and designers)

15 Occupancy Permits Issued

304 Licenses Checked

Complaint Investigations:

Investigated thirteen (13) fire code complaints

Investigated two (2) blasting complaints

Investigated four (4) electrical complaints

Administered two (2) licensing tests

Assisted Investigation Division on fire fatalities in Berkeley County

Assisted Investigation on a fire in Randolph County

Conducted exit checks at various basketball games

January 1, 2017 through December 31, 2017

7039 Inspections Conducted

1562 Plans Reviewed (Does not count walk-in consultations with architects and designers)

207 Occupancy Permits Issued

2898 Licenses Checked

Complaint Investigations:

Investigated one hundred-one (101) fire code complaints

Investigated five (5) blasting complaints

Investigated six (6) licensing complaints

Investigated twelve (12) electrical complaints  
Investigated one (1) fireworks complaint

Fireworks:

403 Facilities  
75 Pyrotechnician Licenses  
56 Public Displays  
Issued five (5) citations for selling fireworks without a permit  
Confiscated fireworks in Raleigh County with an approximate value of \$12,000.00

Training:

- Taught three-three (3) day basic fire inspection class for new municipal fire inspectors
- Nine (9) divisional members attended a one day seminar on the National Electric Code
- Two divisional members attended Fire Protection Principles class at the National Fire Academy
- All divisional members attended week-long training in Charleston – EXPO
- Seven (7) divisional members attended a one-day fire door inspection class
- Five (5) divisional members attended LAST training for Line of Duty Firefighter fatalities
- Two divisional members attended an advanced Sprinkler and Standpipe design class at the Ohio Fire Academy
- Twelve (12) divisional members attended an advanced electrical class sponsored by the International Association of Electrical Inspectors
- All divisional members completed semi-annual firearms qualifications
- Ten (10) divisional members attended IAAI fire investigation class in Morgantown
- Divisional members received two days training at the Charleston Office – renewed CPR and First Aid certifications, required driving training and a Civil Liabilities class
- Divisional members attended two-day Fire Marshal’s Association classes on NFPA 25 and Fire Treated Wood Products
- Nine (9) divisional members attended a one-day Building Code Officials class on Inspection/Plan Review of Solar Panels

Court hearings:

Fayette County – Two (2) convictions for unlicensed electrical work  
Raleigh County – Fire Code citation – Case continued  
Raleigh County – Fire Code citation – one conviction for destruction of property  
Raleigh County – One (1) conviction for tampering with fire protection equipment  
Kanawha County – Fire Code citation – Case continued  
Braxton County – Five (5) convictions for tampering with fire protection equipment  
Berkeley County – Two (2) convictions for tampering with fire protection equipment  
Raleigh County – Two (2) convictions for selling fireworks without a permit  
Raleigh County – Two (2) convictions for violations of the State Fire Code  
Fayette County – Conviction for performing electrical work w/o a license

Obtained eleven (11) warrants for tampering with sprinkler heads at Central Regional Jail  
Obtained twenty-one (21) warrants for tampering with sprinkler heads at Southern Regional Jail  
Obtained two (2) warrants for tampering with sprinkler heads at Potomac Highlands Regional Jail  
Issued citation to an individual for performing electrical work w/o a license in Cabell County

Division personnel expended six hundred eighty-three (683) hours assisting with the Boy Scout Jamboree

Administered thirty-five (35) licensing tests

Conducted exit checks at various basketball games

Conducted checks of various fireworks displays

Assisted the Investigation Division in Kanawha and Mingo Counties

Assisted the Investigation Division with fire w/fatality in Greenbrier County

Assisted the Investigation Division with fire w/fatality in Randolph County

Assisted the investigation Division with fire in Morgan County

Investigated fire at South Central Regional Jail

Investigated fires in schools in Kanawha and Mineral Counties

Checked blasting permits in Monongalia County

Presented fire safety/code training at the West Virginia School Service Personnel meeting in Morgantown.

Presented fire safety/code training to the Raleigh County school administrators, maintenance and custodian staffs.

Presented fire safety/code training at the West Virginia Hospital Engineers conference.

Presented a fire safety program to the Charleston West Lions Club.

Game Day inspection details at WVU and Marshall and after-hours street detail in Morgantown

Parkersburg Warehouse fire and conducted subsequent inspections of various warehouses w/DEP

Two (2) members monitored the MMR site in Barbour County reference mitigation of tanks where two previous explosions occurred resulting in fatalities

One member apprehended and detain an escaped prisoner in the Beaver area of Raleigh County until State Police and FBI arrived.

#### **Public Education Report- Courtney Rosemond:**

*DECEMBER 2017 THRU FEBRUARY 2018*

#### **Media Releases – 4**

- W.Va. State Fire Marshals looking for information in Berkeley County fire
- State Fire Marshals charge a Monongalia County man for setting fire in his residence
- W.Va. State Fire Marshals arrest Huntington man for setting fire to a business
- State Fire Marshals arrest a Marion Co. man for setting three fires

Social Media interactions – 154 new Facebook subscribers since Dec.1st, weekly safety messages and news updates are disseminated through Facebook and Twitter.

February Safety Spotlight - Newsletter ready for disbursement with an added special edition to recap our Safety Summit and provide additional information.

Partnerships – 3

- WV DHHR
- St. Albans FD – Remembering When Program
- American Red Cross

Public Education Network – 2 new members since December 2017, 109 total members since April 2016.

Public interactions completed – 9

- Fire Safety with Ripley Girl Scouts
- St. Albans First Baptist Remembering When demonstration
- Christmas Fire Safety talk with WJLS – radio
- Oceana VFD smoke alarm installations
- Oak Hill VFD safety talk to kids and parents
- Flatwoods smoke alarm installations
- Logan Co. DHHR fire safety information
- McDowell Co. DHHR fire safety information
- Child Fatality Review Team

Ongoing Projects:

Community Risk Reduction

Our mission to reduce the number of fire related deaths and injuries continues with gathering data. Data collection from 2015 – present will be used to develop strategies and tactics to mitigate risks. We have identified older adults, ages 60 and above to be our most at risk residents. Smoke alarm installations as well as safety information through social media, PSAs, website and information hubs like DHHR, and senior services programs are key in reaching the older adult audience.

ESCAPE 2018

A 6-hour Community Risk Reduction and Fire Prevention course will be given on February 22<sup>nd</sup>. This program is designed to train and equip students with fire prevention and life safety education based on the philosophy of Community Risk Reduction. We will identify the injury problem in the state, use appropriate prevention education programs and resources available for student's own use with high-risk groups in his or her community.

Video Contest

Children remain a high-risk population when it comes to fire death and injury, reaching them with safety messages can be difficult. We'd like to get on their level by tapping into creativity through technology. A video contest will be aimed at middle and high school age students. We hope students will gain fire safety knowledge while helping us create public service announcements.

After the Fire Prevention Bags

Fire prevention bags have been made to supply Assistant State Fire Marshal's with resources for fire departments as well as residents. Two bags have been created, one for a resident who lost their home

to a fire. The second Fire Prevention bag will be for fire departments to give out in a neighborhood to residents who had deadly fires in their neighborhoods.

Operations Report by State Fire Marshal Tyree:

Mr. Chairman, members of the Commission:

- Personnel Staffing:
  - New Employee:
  - Promotions/Reallocations: Jeff Armentrout promoted to ASFM 3 in Inspection Division;
  - Resignation/Termination/Retirement: Joshua Thomas, Services and Annie Washington, Admin
  - Administrative Secretary interviews continue; hopefully selection will be made by beginning of March.
  
- We have 12 vacancies within the agency (5 Inspectors, two Plans Reviewer and one Public Information Specialists; and two OA II in Services Division; one – OA III, Admin and Administrative Secretary position we're hopeful to get all vacancies filled Asap.
  - New Agency FTE = 58
  
- Bring your attention to two Executive Orders issued concerning a statewide order on Legislative Rules: Exec Order 2-18 & 3-18
  
- I've learned INFORMALLY that all proposals in the future should come having been reviewed for six items/concerns:
  - Does it help shrink government
  - Increase Personal Responsibility
  - Lower Taxes
  - Strengthen Families
  - Support Business Growth
  - Increase Public Safety
  - Create Jobs
  
- Legislative Bills update; 29-3-5b, IECC Energy Code removal HB 4444; 21-6-2, Child Labor, Junior FF language clarifications HB 4436; Electricians Rule 103-5, Fire Marshal rule; 87-3 Haz Mat Tng Program Rule (both bundled in SB 181); HB 4313 and SB 506 Repealing HVAC and Fire Damper and Fire Protection Worker language; 2/8/18 immediately contact legislatures for amended language not to remove in entirety; only 29-3D-3(b)(5)
  
- Supreme Court Abeyance continues; there a bill in the process HB 4158 that has been introduce that should address the Fire Commission concerns; if passed we'll have to go to previous cities to see what we can get worked out to bring them back under oversight.

- Continued Working on a Fire Marshals Academy program. For SFMO new hires and potentially municipality and political subdivisions who have or would have interest in establishing Fire Prevention Bureaus. 1<sup>st</sup> class to launch in Fall of 2018.
- Expanded Powers language 29-3-12 currently under review with Division of Justice and Community Services; provided copy of proposed language.
- Report on Potential On-line capabilities for Funding Application and Evaluation Form. Fillable PDFs in place; note will be provided in the mailings for those needing paper forms to notify our office and we'll send them saving on our overall mailing.
  - We've been awaiting technical assistance from an agency that was willing to help but due to staffing issues has not be able to assist with this project currently. We may be able to move one step further but nowhere near to what we wanted to have completed.
- Policy Update: Accident Injury Review Team Policy 10011 – Provided hard copy to Fire Commission; Procedures working with Hotline and Incident OIC
  - Graph provided last commission meeting with address we'd primarily address from loss work injuries to LODD shared Codes 4 through 7 will be the primary detail of our attention in the future.
- Fire Department Loss of Funding: Reported by Deputy Casto for this past quarter under Fire Dept. Services.
  - (The two deadlines involved are the quarter deadline and then 90 days later, the grace period deadline. Other than being decertified, not submitting their NFIRS incident reports by the prescribed due date is the only way to lose their funding. It has nothing to do with the 180-day issue. Once they miss the grace period deadline, the money is lost and reallocated to the departments that were in compliance. There is no getting it back after that.) Share info from received letters from Treasury. We'll be making an inquiry to see if there are earlier notification/communications that can be provided to help and assist departments to prevent the loss of their distributions. Legislative Auditor's office has aided and we've made departments aware of it; we'll assist by becoming middle communicator with departments and Legislative Auditors: Melissa Bishop and Nathan Hamilton
- Statewide Smoke Alarms installs from Sept. Get Alarmed WV to present: nearly 1800 and there's another 1800 installations pending; April Red Cross plans resurgence. Will be working with Red Cross and encouraging Fire Departments in Spring 2018 to assist in statewide projects.
- Visits and Meetings:
  - Attended several committee meetings for Sub Committees on VFDs and EMS; Trying to find resolutions and common ground!
    - Primary concerns/questions: Recruitment & Retention; Vocational Training increase by County Boards of Education to put in place FF/EMS training; Workers Compensation; Training Requirements/Cost; Cancer

Presumption (increase to Workers Comp); Funding overall: .45%, incentives: monetary and non-monetary

- Recommendations from sub committees: Pilot program for Driver Operators w/o requirement of taking FF1
  - Try to look at other measures to reduce current FF1 requirements further; I did make the committees aware that WV training requirements were not the lowest but on the low end of mandated requirements in other States.
- Also have meeting today at 2pm upon request of the meeting pertaining to Purchasing and the possibility of statewide bidding specifications for Fire Equipment & Supplies to include considerations for all type of equipment.
- Our agency will be making an inquiry to the State 911 Council to make integration and assist where possible and help mitigate potential concerns if they arise concerning Fire Dept. response.
- STILL IN DEVELOPMENT STAGES OF COMPLETING COMMUNITY RISK REDUCTION (CRR) STRATEGIC PLAN for Fire Fatality information improvement; restructure collection of information from, Fire Departments, Investigator, Dispatch, & Local Media; more to come on this project. Data Collection and Analysis piece is crucial to the work we're trying to do to educate and reduce these numbers. Present Draft Protocols in June 2018
- Expo Classes: Fire Marshal Track: 1. Food Truck Inspections; 2. Legal and Political Aspects of Fire Code Management & Enforcement; 3. Underwriters Laboratory Energy Storage Systems; 4. 3D Printing Systems Code Enforcement & Fire Response issues
  - Also, considering possible Public Education Evening for Community Services Organizations & Fire Service
- Recruitment Retention Speaker Request – State Firemen's Convention
- Correctional Center Crisis: Agency to assist with 5 personnel part-time outside of primary agency responsibilities. Overtime Budget numbers provided to DMAPS for reimbursement for all assistance provided.
- Congressional delegation Request S. 829 Voted & Passed AFG & SAFER Grant Funding
- Annual Report provided Information from the Annual Report has been requested during the Legislative Session Inspections & Fireworks Safety Program
- Commend Staff and Thanks Commission for your support! Special Thanks to Chief Deputy Sharp for continued work and we search for new Commission & Admin Secretary!
- Glad to answer any questions!

Commissioner Gunnoe asks if there are any questions. Commission Shriver asked if stakeholders meetings for the State Fire Code and Building Code will begin in March? Fire Marshal Tyree responded yes, after the legislation session is over.

Commissioner Mongold made a motion to accept the report, seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

## UNFINISHED BUSINESS:

Consideration of Municipality Home Rule Board Rulings Update- No action is needed from the Commission at this time. The abeyance has been extended until March 16, 2018.

Consideration of Modular Firefighter Training Pilot Program Update- AFM Bradley Scott gave an update report on classes, departments and students enrolled. Chief Deputy Fire Marshal Sharp stated that a "Parent / Guardian" signature and date line was added to the Individual Enrollment form. Commissioner Mongold asked about why the paperwork has to be sent to two agencies (Training Provider and Fire Marshal's Office) and can all the paperwork be processed by the training provider?. Commissioner Oldaker replied that if the Fire Marshal's Office would not receive the data, then they wouldn't be able to report some of the information that the commission had requested like how many departments are participating, which departments are participating and where the training is taking place. WVU Fire Service Extension Director Mark Lambert stated that one of his concerns was if the Fire Marshal's Office were out of the process then control of the helmet decals would be with the instructors and there could be some issues. Fire Marshal Tyree also stated that the Fire Marshal's Office had received several questions concerning prior completion of Hazmat Awareness training before attending the Modular Firefighting Pilot program and if participants would have to retake this portion in Modular 3. WVU Fire Service Program Coordinator Ralph McNemar said they are accepting prior Hazmat Awareness and Operations training certification as they do for the full Firefighter 1 course. Fire Marshal Tyree mentioned that in accepting prior Hazmat Awareness and Operations training then this would complete Module 3 of the pilot program. WVU Fire Service Director Mark Lambert stated that their policy was that individuals taking the Modular Firefighting Pilot Program would have 2 years to complete modular training or they would need to start over. Fire Marshal Tyree mentioned that at one of the Legislature Sub Committee on VFDs and EMS meetings it was mentioned that they would like to see Firefighter 1 training hours reduced on the basis of equipment they don't have like an aerial ladder truck. Also, that West Virginia on a national scale is on the lower side of required training when compared to other states. The other request is to examine a Driver Only pilot program possibility. Legislatures are asking a lot of questions and are engaged in looking at different possibilities to assist the VFDs and EMS. Commissioner Gunnoe stated there is discussion about counties being more involved and taking on the responsibility of fire service issues in their counties. WVU Fire Service Extension Director Mark Lambert mentioned he had read a newspaper article stating that in Lewis County they are making it known which response calls they are taking responsibility for and which ones are the responsibility of other agencies. Example: Fire Service is not responding to trees down, etc. Fire Marshal Tyree stated that the Department of Highways have been discussing reimbursement of time and manpower for assisting with these types of calls like trees down.

Consideration of 2017-005-BCO. Based on information supplied by Deputy Fire Marshal Casto during the Disciplinary Committee meeting, their recommendation to the full committee is to dismiss 2017-005-BCO. Commissioner Eastham made a motion to dismiss 2017-005-BCO, seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed.

Research of Underage Children Transported on Fire Apparatus During Emergencies and Non-emergency Situations Without Running Lights- Is it permitted or not? Tabled until the April Fire Commission Meeting.

NEW BUSINESS:

Consideration of Standard Operating Procedures for the Pocahontas County Fire Association. Assistant Fire Marshal Bradley Scott gave a brief review for approval.

Commissioner White made a motion to table this vote because the letter was received from the Pocahontas County Fire Association. The WV Fire Commission would only be able to vote on this if received from the Pocahontas County Fire Board, seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Tornado VFD & West Side VFD Boundary Petition.

Commissioner Mongold made a motion to table this until the April Fire Commission Meeting, seconded by Commissioner White. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Gunnoe clarified that this was not denied and that the two fire departments can work toward getting a proper petition that could be verified by canvassing the area of the affected residents. It was stated that representatives from the Tornado VFD and West Side VFD would be meeting next Thursday to try and work out a mutual aid agreement for the Brown's Creek area.

Consideration of Accident Injury Review Team Policy #10011.

Commissioner White asked a question concerning why the procedure only provided for contacting a Assistant Fire Marshal 3. Fire Marshal Tyree explained that the arson hotline will receive the call and contact Deputy Fire Marshal Baltic or his designee and that the investigative division will begin the process. The Inspection division will also assist in gathering information. Deputy Fire Marshal Baltic discussed the implementation of this policy and how we will still need to provide information to all the fire department in the state and to use the hotline to document injuries as well as fire deaths. This is an initial start to the process. Fire Marshal Tyree stated that we would welcome any edits the Fire Commission might have to this policy.

Commissioner Mongold made a motion to approve the Accident Injury Review Team Policy #10011, seconded by Commissioner Eastham. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of Accepting CPR & First Aid Completion Roster with Copy of Instructor's Certification. Commissioner White discussed the issues. WVU Fire Service Director Mark Lambert was asked if his training agency could provide certificates based on these rosters in place of certification cards. Mark Lambert stated he would need to talk to his CPR providers before being able to provide these certificates.

Commissioner White made a motion to accept the CPR & First Aid Completion Rosters with a copy of the Instructor's Certification to meet the fire department evaluation criteria, seconded by Commissioner Keefer. With all the ayes and nays having been taken on a voice vote, the motion passed.

Consideration of 2017-061, 2017-062, 2018-001, 2018-002, 2018-003, 2018-005 and 2018-008 to grant 180 day extensions to correct deficiencies as reported in Disciplinary Committee Report.

Commissioner Eastham made a motion to find probable cause on the 2017-061 with a second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Eastham made a motion to grant the Williamsburg Volunteer Fire Department 180 day extension to correct deficiencies, second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to find probable cause on the 2017-062 with a second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Eastham made a motion to grant the Ravenswood Volunteer Fire Department 180 day extension to correct deficiencies, second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to find probable cause on the 2018-001 with a second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Eastham made a motion to grant the Delbarton Volunteer Fire Department 180 day extension to correct deficiencies, second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to find probable cause on the 2018-002 with a second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Eastham made a motion to grant the Beech Creek Volunteer Fire Department 180 day extension to correct deficiencies, second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to find probable cause on the 2018-003 with a second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Eastham made a motion to grant the Matewan Volunteer Fire Department 180 day extension to correct deficiencies, second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to find probable cause on the 2018-005 with a second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Eastham made a motion to grant the Gilbert Volunteer Fire Department 180 day extension to correct deficiencies, second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to find probable cause on the 2018-008 with a second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed. Commissioner Eastham made a motion to grant the Chattaroy Volunteer Fire Department 180 day extension to correct deficiencies, second by Commissioner Shriver. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner White made a motion to accept and approve the following applications for Fire Officer Training Certifications:

James Black	FO 1	Handley VFD
Larry Reedy	FO 1-2	Trap Hill VFD
Jason Legg	FO 2	Sissonville VFD
Greg Lane	FO 1	Trap Hill VFD
Jonathan Young	FO 1	Trap Hill VFD

Second by Commissioner Hess. With all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Eastham made a motion to accept and approve Recertification of the following fire departments, noting they are coming out of 180-day extension:

Ghent	Raleigh County
Franklin Community	Brooke County
Big Otter	Clay County
Martinsburg	Berkeley County
Windsor Heights	Brooke County
Malden (Evaluation Completed by AFM Stewart)	Kanawha County
Baisden	Mingo County
Williamson	Mingo County

Second by Commissioner White, with all the ayes and nays having been taken on a voice vote, the motion passed.

Commissioner Gunnoe asked if anyone wanted to speak as part of New Business.

Glen Whittington discussed continued discussion with the legislature about the issues of the volunteer fire departments and getting that information out to the community. Stating that we need to advertise ourselves better and asked for support by the Fire Commission.

Commissioner Shriver discussed that the general public doesn't know what training it takes to provide emergency services to our community. What all fire departments do is amazing and I appreciate what everyone does. Commissioner Shriver was in a public meeting and one of the attendees got sick at a fire department hall. He expected it to be a crisis and the firefighters calmly took care of the incident and the meeting continued because of the calm nature of the responders.

#### CORRESPONDENCE:

Commissioner Hess discussed and invited everyone to the upcoming Fire Chief's Association Membership Drive on July 15, 2018.

#### GOOD OF THE ORDER:

Chief Deputy State Fire Marshal Sharp discussed the April Fire Commission meeting and options for the December Fire Commission meeting. It was discussed that the December Fire Commission meeting will take place at the Wheeling Highlands Event Center with lodging at the Fairfield Inn & Suites.

#### 2018 Fire Commission Meeting Dates & Locations Announced:

- April 12 & 13, Quality Inn, Lewisburg, WV
- June 7 & 8, WV State Fire Marshal's Office, Charleston, WV
- August 15 & 16 (Wed & Thur), Canaan Valley Resort, Davis, WV. Prior to WV Fireman's Association Meeting August 16-18.
- October 11 & 12, WV State Fire Marshal's Office, Charleston, WV
- December 13 & 14, Wheeling Highlands Event Center and Fairfield Inn & Suites, Wheeling, WV

#### TIME AND PLACE OF NEXT MEETING(S):

Next regularly scheduled Committee Meetings will take place Thursday, April 12, 2018 at the Quality Inn, Lewisburg, WV beginning at 10:00 a.m.

Next regularly scheduled Commission Meeting will take place Friday, April 13, 2018 at the Quality Inn, Lewisburg, WV beginning at 9:00 a.m.

ADJOURN:

Commissioner Mongold made a motion to adjourn at 11:26AM, second by Commissioner White, with all the ayes and nays having been taken on a voice vote, the motion passed.

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